

Exhibit 5



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Via Email to rgarteiser@ghiplaw.com

October 2, 2023

Randall A. Garteiser
Garteiser Honea, PLLC
119 W. Ferguson Street
Tyler, Texas 75702

Re: Quantum Tech. Innovations, LLC v. Valve Corp., Gearbox Software LLC, No. 2:23-cv-425-JRG-RSP; Social Positioning Input Sys., LLC v. Valve Corp., Gearbox Software LLC, No. 2:23-cv-422-JRG-RSP; Symbology Innovations v. Valve Corp., Gearbox Software, LLC, No. 2:23-cv-419-JRG-RSP

Dear Mr. Garteiser:

I write regarding the three above-captioned cases that your Rothschild-related clients filed against Valve Corporation in the Eastern District of Texas. As you and your clients know, venue is not proper in Texas. Indeed, until Rothschild filed these three retaliation suits, since the Federal Circuit decided *TC Heartland* and *In re Cray*, his companies routinely sued Valve in the Western District of Washington. While there is no merit to the infringement allegations your clients raise in any of these suits, should Rothschild actually wish to litigate against Valve, the proper forum is in Washington. Unless you voluntarily dismiss and refile these cases there, once served, Valve will move to dismiss and transfer the cases to Washington.

Valve will likewise seek fees spent moving the case to Washington. To be clear, your clients' decision to sue in an improper venue makes this an exceptional case. See *Icon Health & Fitness, Inc. v. Octane Fitness, LLC*, 112 F. Supp. 3d 888, 896 (D. Minn. 2015) (granting fees under § 285 and finding “[t]he inclusion of a peripheral party to establish venue in an inconvenient and high-cost district ...is highly suspicious”); *Opus Techs., Ltd. v. Vizio, Inc.*, 782 F.3d 1371 (Fed. Cir. 2015) (reversing a district court's denial of fees based in part on the plaintiff's conduct of “delay[ing] the litigation by strategically amending its claims to manufacture venue...”).

Please let me know by October 9, 2023, if your clients will dismiss their complaints.

Sincerely,

A handwritten signature in blue ink, appearing to read "DARIO A. MACHLEIDT".

Dario A. Machleidt